

Amendment 106

To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 106 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 19th day of April, 2011, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate the Contractor for performing the work necessary to modify the Business Account agreements to include a new flag indicating if card registration is valid for an agreement. This work is performed per RFCS-RFI 614 v4 *UW Cards Without CVN – Solution #2 Business Account Agreement Registration Control (Agency response dated February 3, 2011)* and ERG Contract Amendment 88 *UW Cards With No CVN Preliminary Analysis*
- C. The parties agree that the work necessary to modify the Business Account agreement functionality will be performed and compensated as described below.

Agreement

Section 1.0 Description of Work

- 1.1 The Contractor will perform the work necessary to modify the Business Account Website to allow for the discretionary block of card registration by performing the following:
- (a) Update BA agreements to include a new flag indicating whether card registration is valid for each agreement.
 - (b) Label the new flag **“Card Registration Not Permitted”** with a check box to indicate when it is not a valid option for that agreement. Add the field and checkbox to the BAW Program Information page,
 - (c) Set the default value for the box to unselected, consistent with the standard for Business Accounts which is to allow card registration. The Lead Agency user must explicitly select the box if the Business Account does not allow card registration, however, both the Lead and Participating Agencies can view whether or not the box is selected.
 - (d) Ensure the field is not visible to Business Account users (it is visible to Lead and Participating Agency users only).
 - (e) Ensure the field is dynamic and can be checked or unchecked at any time. The setting applies to all future attempts at card registration. Modifications to the field will be logged.
 - (f) Modify the CHW, CCW and CST so that whenever a card registration function is performed, the system will query the field identified in 1.1 (a & b) above.
 - (g) Implement functionality so that if a card registration is attempted with a card serial number belonging to a Business Account agreement that does not permit card registration and has the subject flag checked, the registration will not be allowed and the system will display the message: **“This Business Account card cannot be registered at this time. Please contact your Business Account representative for more information.”**
 - (h) Ensure that if a card is disassociated from a BA agreement, the card registration block check will no longer apply and the card can be registered via the standard process.

1.2 The Contractor will update the system documentation listed below and agrees to make additional documentation updates(s) which are within the scope of work of this Amendment as mutually agreed by the Contractor and the Agencies and were omitted at the time the Amendment was executed.

- (a) SEA-00045 Customer Service Terminal (DR 108)
- (b) SEA-01539 ORCA Call Center Website Functional Specification
- (c) SEA-01438 ORCA Cardholder Website Functional Specification
- (d) SEA-01654 ORCA Institutional Program Website Functional Specification
- (e) SEA-00366 RFCS Business Accounts Website Operations Manual
- (f) SEA-01868 Business Accounts Website Operations – Instructor Guide
- (g) SEA-01867 Business Accounts Website Operations – Presentation
- (h) SEA-00029 Common Institutional Program Requirements (DR 2)

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

Section 2.0 Compensation Changes

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

VI. IMPLEMENTATION

SPECIAL PROGRAMS

LUMP SUM COST

Amendment No. 106

To perform the work necessary to provide the ability to disallow card registration for Business Account agreements.	
TOTAL	\$14,074

Section 3.0 Other Terms and Conditions

All other provisions of the Contract not referenced in this Amendment One Hundred and Six shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

By: _____

Its: _____

Date: _____

The Agencies

By: _____

Candace Carlson
Their: *Operations Manager*

On behalf of the Agencies

Date: _____

April 19, 2011

Signed by ERG Transit Systems (USA) Inc by its attorney Elaine Aulgur pursuant to Power of Attorney dated 18 June 2010:

Elaine Aulgur
Elaine Aulgur

19-Apr-11
Date

In the presence of:

[Signature]
Witness Signature

19-APR-11
Date

Witness name: _____

PATTY HAZARD